

Appl. No. 09/815,262
Amendment Dated June 22, 2004
Reply to Office Action of January 22, 2004

REMARKS/ARGUMENTS

Claims 1, 2, 8, 10, 11, 23, 28, 35 and 72-94 remain pending in this application. Claims 8, 10, 11, 23 and 35 were previously withdrawn but are now being examined. Claims 3-7, 9, 12-22, 24-27, 29-34, 36-71 and 73-76 have been canceled to promote prosecution. Claims 73-94 have been added to provide additional dependent embodiments. These amendments find support in the application at pages 17, 40 and 46-48. Applicants reserve the right to present any withdrawn or canceled subject matter in one or more continuation or divisional applications.

We were very pleased to see that the Examiner has stated that claim 8, with a terminal sulfonic acid, claims 10 and 11 with a terminal phosphonic acid, and claims 23 and 35 are allowable if the claims are amended so that they no longer depend on a rejected claim.

The Examiner rejected claims 1-2, 6-7, 12-15, 28 and 72-76 under 35 USC § 102(e) as anticipated by Somers (U.S. Patent No. 6,121,319). The Examiner specifically rejects the compound wherein Z is (vi), straight chained polyhydroxylated C₃₋₁₀ alkyl or (viii), -(CR₂)₁₋₆-X, wherein X is aryl or heteroaryl. Purely to promote prosecution, claim 1 has been amended to remove these definitions of Z and claims 6-7, 12-15 and 73-76 have been canceled.

The Examiner also rejected claims 1-2, 6-7, 12-15, 28 and 72-76 under 35 USC § 102(e) as anticipated by Somers (U.S. Patent No. 6,548,699). The Examiner cited the compound wherein Z is (vi) straight chained polyhydroxylated C₃₋₁₀ alkyl. Purely to promote prosecution, claim 1 has been amended to also remove this definitions of Z and claims 6-7, and 12-15 have been canceled.

The rejections to claims 2, 28 and 72 appear to have been based on their dependence on rejected claim 1. The amendment to claim 1 overcomes these rejections. In addition, solely in the interest of promoting prosecution and as requested by the Examiner in item 6, the non-elected subject has been taken out of independent claim 1 and dependent claims 3-5, 9, 20-21, 24-27, 29-

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30, 32-33, 36-71 and 73-76 have been canceled.

Applicants believe these amendments overcome the Examiner's rejection and ask for a timely Notice of Allowance of the amended claims. No fees are believed to be due in connection with this response. However, should the Commissioner determine otherwise, he is authorized to charge such fees and credit any overpayment to Deposit Account No. 11-0980.

Respectfully submitted,

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made June 30, 174
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